



# WISCONSIN DEPARTMENT OF CORRECTIONS

Governor Tony Evers / Secretary Kevin A. Carr

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## GUIDANCE DOCUMENT CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections §227.10 and §227.11 of the Wisconsin Statutes.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

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Name of Individual Certifying this Document/Proposed Document

ADMINISTRATOR, DIVISION OF COMMUNITY CORRECTIONS

Title

Signature

6/25/19

Date Signed

Department of Corrections – Wisconsin  
Office of the Secretary  
Wis. Stat. § 227.112(6)  
DOC-2910 (6/2019)

 <p style="text-align: center;"><b>WISCONSIN</b>  <b>DEPARTMENT OF CORRECTIONS</b>  <b>Division of Community Corrections</b></p> <p style="text-align: center;">DOC-1356 (Rev. 12/2009)  Administrative Directive # 18-01</p>	EFFECTIVE DATE January 1, 2018	PAGE NUMBER 1 of 5
	MANUAL REFERENCE ECRM	<input checked="" type="checkbox"/> New <input type="checkbox"/> Revision
	ORIGINATED BY <i>Denise Symdon</i> Administrator's Office Denise Symdon	
DISSEMINATION <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Supervisory Staff Only	PRIORITY <input checked="" type="checkbox"/> Policy/Directive <input type="checkbox"/> Information Discuss at Staff Meeting Read/Route/Post	
<b>SUBJECT: DCC Media Policy</b>		

**Reference(s):**

Wis. Stats., 949.165 – Escrow accounts; moneys received as a result of the commission of a serious crime

**Policy Statement:** It is the goal of the Department of Corrections to make staff, offenders, and others available for interviews with members of the media to further public understanding of operations and to open correctional worksites to media access whenever possible.

**Forms:**

DOC-1927B: Staff Media Consent and Liability Waiver

**Definitions, Acronyms:**

Chapter 980 Offenders: Offenders who are civilly committed as a Sexually Violent Person under Wis. Stats., Chapter 980 and are at Sand Ridge Secure Treatment Center or on supervised release in the community.

DHS: Wisconsin Department of Health Services

Interview: Any interaction between a member of the media and DCC staff or offenders that will be referred to, reproduced, recorded, or broadcast in any form that occurs in a DOC worksite or under the auspices of DOC operations. This does not include interactions between members of the media and DCC staff which occur outside of work hours where DCC staff do not speak for the DOC. This also does not include interactions between members of the media and offenders, including Chapter 980 or NGI offenders, which occur outside DOC worksites or the auspices of DOC operations.

Media: An individual employed, contracted, or otherwise acting on behalf of a newspaper, radio station, television station, website, production company, or other organization whose primary purpose is reporting news or producing programming or content which will be broadcast or published in any form. The DOC Communications Office may require a member of the media to provide proof of their status under this definition.

Media Advisory: Communication to the media regarding an event that will take place in the future.

NGI Offenders: Offenders who are civilly committed under Wis. Stats., 971.17 (Not Guilty by Reason of Mental Disease or Mental Defect) and are at a DHS facility or on conditional release in the community.

**Offender:** An individual on probation, parole, or extended supervision who is being supervised by a DOC Probation and Parole Agent. This definition does not include Chapter 980 offenders or NGI offenders unless explicitly noted.

**OVSP:** DOC Office of Victim Services and Programs

**Press Release:** Statement or other communication sent to the media giving information on a particular issue or issues. This includes information provided in person, by phone, email, or any other medium.

**Public Event:** Any function, meeting, or other event that DCC staff attend as part of their job duties, other than media interviews facilitated by DOC. Examples may include court proceedings or community notification meetings.

**SORP:** Wisconsin Sex Offender Registry Program

## **Procedure:**

### **General Guidelines**

- This administrative directive does not prevent DCC staff from speaking to members of the media outside work hours as long as they do not speak on behalf of the DOC.
- Offenders may freely interact with members of the media while on community supervision without involvement or approval from DOC staff, subject to their rules of supervision.
  - An interview with an offender that occurs without DOC involvement or approval shall not occur on DOC-owned or DOC-leased property.
  - This prohibition does not include common areas adjoining DOC-leased property as long as the interview does not disrupt or impede DOC operations.
  - If an interview is disruptive to DOC operations, staff should immediately contact their supervisor. The supervisor should contact the DOC Communications Office immediately.
  - DOC staff will not assist members of the media in facilitating interviews that occur without DOC involvement or approval. The DOC Communications Office may authorize DOC staff to provide a member of the media's contact information to an offender.
  - If DCC staff become aware that an offender participated in a media interview conducted without DOC involvement or approval, they should notify OVSP and the DOC Communications Office.
- If an agent is asked by an offender whether they should participate in an interview with members of the media, agents should not express approval or disapproval.
- DCC staff shall not issue rules of supervision restricting contact between any members of the media and offenders unless a legitimate correctional interest is served, the rule is written as narrowly as possible, and the proposed rule is approved in writing by a Corrections Field Supervisor.
- DCC staff shall not disclose protected or confidential information except as outlined in this policy in line with any applicable laws or Department policies.
  - Examples of protected or confidential information include juvenile information, education information, medical information (including mental health conditions and diagnoses), Chapter 980 or NGI status, or AODA treatment information.

- This administrative directive does not prevent DCC staff from fully participating in public events where members of the media are in attendance.
  - DCC staff are not required to complete a DOC-1927B to participate in a public event.
  - DCC staff may answer questions from members of the media at public events that are within the scope of their job duties. If they do not wish to answer questions from the media, they shall refer any inquiries to the DOC Communications Office.
  - All other media inquiries shall be referred to the DOC Communications Office.
  - If DCC staff have advance notice that members of the media will be at a public event they will be attending, they must notify the DOC Communications Office using the Media Contact process in this administrative directive prior to the event.
  - If DCC staff do not have advance notice, they should notify the DOC Communications Office using the Media Contact process in this administrative directive as soon as possible after the event.

### Media Interviews Facilitated by DOC

- If a member of the media contacts DCC staff to arrange an interview with staff or an offender, the request should be referred to the DOC Communications Office using the Media Contact process in this administrative directive.
- The DOC Communications Office shall work with the following persons to determine whether to facilitate an interview request:
  - DCC Administrator or Assistant Administrator;
  - Regional Chief or Assistant Regional Chief of the region supervising the participating staff or offender(s);
  - Regional Chief or Assistant Regional Chief where the interview will take place; and
  - DOC's Office of Victim Services and Programs.
- DCC staff and offenders may consent to participate in a DOC-facilitated interview.
  - An offender's agent of record/designee must document in the offender's case notes the offender's consent to participate in a media interview facilitated by DOC. At a minimum, the note should include the time and date of the interview, the media outlet interviewing the offender, the subject matter of the interview, and the voluntary consent given by the offender to participate in the interview.
  - Additional consent through the DOC-1163 or DOC-1163A is required if the topic of the interview involves the expected disclosure of protected or confidential information.
  - Consent is not required for crowd shots or other visual or audio depictions where one individual cannot be clearly identified.
- The following staff are authorized to speak on behalf of DOC after notifying the DOC Communications Office:
  - DCC Administrator
  - DCC Assistant Administrator
  - Bureau/Office Director(s)
  - Regional Chief(s)
- Other DCC staff may participate in media interviews with the approval of the DOC Communications Office by completing a DOC-1927B and sending to their supervisor. The supervisor should forward the completed DOC-1927B to the DOC Communications Office.
- If the interview is approved, the DOC Communications Office will work with the media and DCC staff to determine appropriate conditions for the interview.

## Media Contact

- Each region shall establish an internal process to refer media inquiries and report all media contacts to the DOC Communications Office by phone or e-mail to this contact information:
  - Phone: 608-240-5060
  - Email: [DOCMedia@wisconsin.gov](mailto:DOCMedia@wisconsin.gov)
- When reporting a media contact, DCC staff shall provide at least the following information to the DOC Communications Office:
  - Time and date of contact
  - Full name and organization
  - Contact information, including phone number or email address
  - Deadline (if known)
  - Subject matter of the inquiry

## Media Advisories and Press Releases

- The DOC Communications Office shall issue all press releases and media advisories on behalf of DCC.
  - Regional Chiefs/designees shall submit all necessary information to the DOC Communications Office for consideration.
  - Exceptions to this section may be made by the DOC Deputy Secretary, DOC Assistant Deputy Secretary or DOC Communications Office.
  - Outside stakeholders who wish to issue a press release with DOC input or regarding DOC operations should be referred to the DOC Communications Office.

## Media Inquiries about Chapter 980 or NGI Offenders

- If asked by a member of the media, DCC staff shall not provide information regarding an offender's Chapter 980 or NGI status and should inform the media they will forward the inquiry to the DOC Communications Office.
- All media inquiries regarding Chapter 980 or NGI offenders shall be forwarded by e-mail to the individuals noted below:
  - DOC Communications Director (via [DOCMedia@wisconsin.gov](mailto:DOCMedia@wisconsin.gov))
  - Regional Chief and Assistant Regional Chief
  - DCC Administrator and Assistant Administrator
  - DCC Director of Sex Offender Programs (Chapter 980 offenders only)
- The notification shall include the information required in the Media Contact section of this administrative directive.
- Exceptions to this section may be granted by the DCC Administrator or Assistant Administrator and the DOC Communications Director to the Regional Chief or Assistant Regional Chief of the region supervising the subject of the inquiry or the DCC Director of Sex Offender Programs (Chapter 980 offenders only). There are no exceptions for other DCC staff.

### Establishment of Escrow Accounts under Wis. Stats., 949.165

- State law requires individuals convicted of a crime or individuals accused of a crime who are eventually convicted of a crime who receive monetary compensation for providing thoughts, feelings, opinions, or emotions regarding the crime to provide a copy of the contract to the Wisconsin Department of Justice and pay the compensation into an escrow account for three years.
- The Department of Justice must provide notice to potential claimants at least every six months that the moneys are available to satisfy money judgments.
- Offenders, including Chapter 980 offenders and NGI offenders, shall notify their agent of record prior to entering into any contract under Wis. Stats., 949.165.
- The agent of record shall then communicate that notification to the DOC Communications Office and Office of Legal Counsel.
- Offender (including Chapter 980 offenders and NGI offenders) conduct and activity shall be in compliance with Wis. Stats., Chapter 949.165.